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**OFFICE OF PETITIONS**

In re Patent No. 7,410,478  
Issue Date: August 12, 2008  
Application No. 10/749,563  
Filed: January 2, 2004  
Attorney Docket Number:  
YANG3057CIP2/REF

ON PETITION

This is a decision on the petition, filed September 8, 2009, requesting the issuance of duplicate Letters Patent for the above-identified application. The petition is treated under 37 CFR 1.182.

The petition is **GRANTED**.

Since it is U.S. Patent and Trademark Office practice to assure mailing of all papers on the date indicated, there is a strong presumption that papers duly addressed and indicated as mailed, such as the Letters Patent in this application, are timely delivered to the addressee. To overcome this presumption, a verified statement with supporting evidence, such as any records which would disclose the receipt of other correspondence mailed from the U.S. Patent and Trademark Office on or about August 12, 2008, but fail to disclose receipt of the Letters Patent mailed on that date, should be promptly submitted. Further, copies of records on which receipt of the Letters Patent would have been entered had it been received are required.

However, if the loss of the Letters Patent was not the fault of the U.S. Patent and Trademark Office or if petitioner simply wishes to avoid overcoming the above-noted presumption, a petition may be filed under 37 CFR 1.182 accompanied by a petition fee of \$400.00 requesting a duplicate Letters Patent.

Petitioners state that the Letters Patent were received and that they forwarded them, however, it appears that they were never received. As petitioners are not alleging that the loss of the letters patent was the fault of the USPTO and since petitioners have submitted the petition fee, a copy of this decision is being forwarded to Publishing Division for issuance of a duplicate Letters Patent. The petition fee has been applied.

A copy of this decision is being forwarded to Publishing Division for issuance of a duplicate Letters Patent.

Telephone inquiries concerning this decision may be directed to the undersigned Senior Petitions Attorney at (571) 272-3212. Inquiries regarding the issuance of a duplicate Letters Patent may be directed to the Publishing Division at (703) 308-9250.



Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

cc: Niomi Farmer (Fax – (571) 270-9753)